

Florida Office:

8751 W. Broward Blvd., Ste. 203
Ft. Lauderdale, FL 33324
(954) 652-0100

Attorneys at Law and Proctors in Admiralty

61 Broadway, 26th Floor
New York, New York 10006-2802

New Jersey Office:

1495 Morris Avenue
Union, NJ 07083
(973) 467-4740

Connecticut Office:

24 Hoyt Street
Stanford, CT 06905
(203) 323-9120

Telephone: (212) 344-4700

Facsimile: (212) 422-5299

www.marinellex.com

Massachusetts Office:

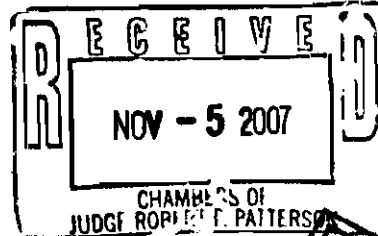
2355 Main Street, P.O. 186
S. Chatham, MA 02659
(508) 432-2121

MEMO ENDORSED

November 5, 2007

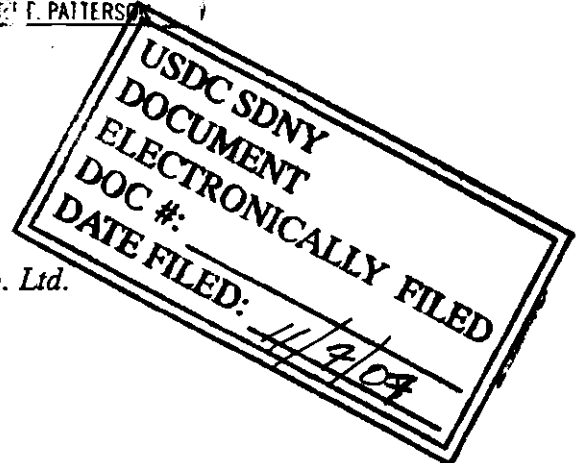
VIA FACSIMILE No.: 212-805-7917

Honorable Robert P. Patterson
U.S. District Judge
U.S. District Courthouse
500 Pearl Street
New York, NY 10007-1312



Christopher H. Mansuy
cmansuy@marinellex.com

Re: *Dynamic Tire Corporation v.
Hyundai Merchant Marine Co. Ltd.*
07 Civ. 7753
Our file no.: 876-9



Dear Judge Patterson:

We write with regard to the telefax of Messrs. Hill Rivkins & Hayden, LLP dated November 5, 2007. As Your Honor will recall, we represent Hyundai Merchant Marine Co., Ltd. ("HMM") in 07 Civil 3104, one of many consolidated actions involving this accident. In that matter, Your Honor heard HMM's motion to dismiss by reason of the forum selection clause in Fireman's Fund's bill of lading which Your Honor granted and thereafter placed the matter on the Suspense docket until December 31, 2007.

In the Hill Rivkins telefax of today, reference is made to an established schedule in the penultimate paragraph.

Since HMM has not been served with the Complaint in the Dynamic Tire Corporation (07 Civ. 7753) action, we are not certain what schedule plaintiff Dynamic Tire Corporation's counsel refers to. In the event that HMM is served with a Summons and Complaint, HMM will file a motion to dismiss by reason of the forum selection clause in the Dynamic bill of lading requiring all suits to be filed in Seoul, Korea.

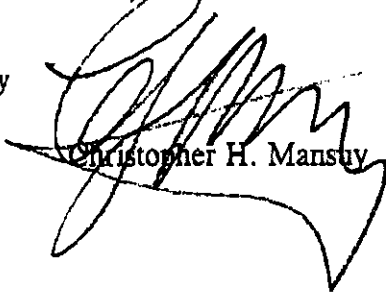
Honorable Robert P. Patterson
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We recognize that, as we have not appeared in the action, we have no standing to address the Court. But we write to avoid the possibility that the plaintiff's counsel and the Court might misunderstand our intentions in the event that HMM is served.

Respectfully,

DEORCHIS, WIENER & PARTNERS, LLP

By


Christopher H. Mansuy

CHM:kc

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cc:

VIA FACSIMILE No.: 212-669-0698

Hill Rivkins & Hayden
Attorneys for Plaintiff
45 Broadway, Suite 1500
New York, New York 10006
Attention: Thomas E. Willoughby

A conference will be
held 1/3/08 at 10 AM
So ordered
Robert Patterson
USDC
11/7/07